

## REMARKS

A Notice of Non-Compliant Amendment mailed February 17, 2006 was received. This Response is in response to the original Restriction Requirement, but modified to correct the claim cancellation and renumbering of the newly added claims.

In the Restriction Requirement of October 5, 2005, claims 1-31 were the subject of a Restriction Requirement dividing the claims into Group I (claims 1-5); Group II (claims 6-11); Group III (claims 12-18); Group IV (claims 19-29); and Group V (claims 30-31). Claims 32-35 were previously cancelled and claims 36-55 have now been added.

A. Response to Restriction Requirement.

In response to the Restriction Requirement, claims 19-29 of Group IV are hereby elected without traverse. Unelected claims 1-18 and 30-31 are cancelled above, without prejudice to the subject matter thereof.

B. Claim Amendments to Claim 19 and Newly Presented Claims.

Elected apparatus claim 19 has been substantially further amended, in a form which greatly expands upon and identifies (a) features of the claimed apparatus having a chamber in which the previously claimed paddle was received, and (b) features of the paddle. No new matter is added by this amendment, which should substantially move prosecution forward beyond the generalized form of original claim 19.

The amendments to claim 19 are generally patterned after claim 1 from the corresponding European Patent Application No. 00937102.2, which has been allowed by the European Patent Office. Please see the Communication under Rule 51(4) EPC with attached allowed claim set enclosed herewith.

To further simplify the subject matter of the dependent claims to be examined as part of Group IV, claims 20-29 are cancelled above in favor of newly added dependent claims 36-55. These dependent claims generally track allowed claims 2-21 of EP No. 00937102.2. No new matter is believed to have been added.

C. Petition for 3-Month Extension and Applicability of Small Entity Status.

Applicant maintains its previous petition for a 3-Month Extension of Time, extending the due date of the response from November 5, 2005 to February 5, 2006. Applicant hereby states that small entity status applies to this application. Since we previously enclosed a check for \$510.00 for the small entity 3-month extension of time fee, no additional fee is due. However, charge any fees associated with this transmittal to Deposit Account No. 50-1123. Should any questions remain, please contact the undersigned by telephone.

February 23, 2006

Respectfully submitted,



Carol W. Burton, Reg. No. 35,465  
Hogan & Hartson L.L.P.  
1200 17<sup>th</sup> Street, Suite 1500  
Denver, CO 80202  
Telephone: (303) 454-2454  
Facsimile: (303) 899-7333